

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

PENNY KENNEDY, *et al.*,

Plaintiffs,

vs.

CIVIL ACTION NO. 2:03-0175

UNITED STATES OF AMERICA, *et al.*,

Defendants.

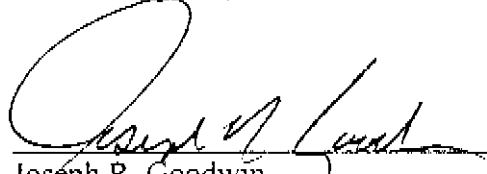
ORDER

Pending is the Government's motion for summary judgment. The discovery deadline does not elapse for nearly another three months. Further, the date for filing dispositive motions is July 23, 2004.

In light of ongoing discovery, the Government's motion is premature. Accordingly, the Court **DENIES** the motion without prejudice.

The Clerk is directed to send a copy of this Order to counsel of record.

ENTER: April 2, 2004


Joseph R. Goodwin
United States District Judge

ENTERED

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TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

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